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April 18, 2008

Via Fax (212) 805-6737

Hon. George B. Daniels  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 630  
New York, New York 10007

**SO ORDERED**

*George B. Daniels*  
**HON. GEORGE B. DANIELS**  
APR 24 2008

Re: *Broughtel v. The Battery Conservancy, et al.*,  
Case No. 07-cv-7755

Dear Judge Daniels:

We represent defendants Claire Weisz and Mark Yoes d/b/a Weisz + Yoes Architecture ("W+Y") in the above-referenced action, and write to request an adjournment to file our reply papers in further support of W+Y's Motion for Judgment on the Pleadings until May 3, 2008. We wrote to Ms. Hoffman to request this adjournment, however, we were informed that she is out of the office today, and as Ms. Hoffman indicated in her previous letter to your Honor, I am out of the country all next week.

When Ms. Hoffman originally extended W+Y's reply time to April 30, 2008 to accommodate my schedule, she failed to indicate that she intended to file a Cross-Motion for a Preliminary Injunction against W+Y. This Cross-Motion was filed today as Docket No. 45 and, pursuant to Local Civil Rule 6.1, W+Y's opposition is due on May 3, 2008.

Rather than have different response dates for W+Y's reply papers on its Motion, and its opposition to the plaintiff's Cross-Motion, we respectfully request that the due date for both of these responses be set as May 3, 2008 so that W+Y can file one set of papers addressing both motions.

The undersigned is available at the Court's convenience. Thank you for your consideration.

Respectfully,

Jarrett M. Behar

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Hon. George B. Daniels  
*Broughel v. The Battery Conservancy, et al.*,  
Case No. 07-cv-7755  
April 18, 2008  
Page 2

JMB

cc: Barbara T. Hoffman, Esq. (via fax (212) 974-7245)  
Margaret K. Psciffer, Esq. (via e-mail)

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